

**ORDINANCE NO. 2135**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF EULESS, TEXAS, CHAPTER 82, "TRAFFIC AND MOTOR VEHICLES," ARTICLE III, "OPERATION OF VEHICLE," SECTION 82-62, "SAME—ON CERTAIN STREETS AND PORTIONS OF STREETS," BY AMENDING THE SPEED LIMIT ON A PORTION OF WESTPARK WAY FROM STATE HIGHWAY 10 TO STATE HIGHWAY 183; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Euless desires to amend the speed limit on the portion of Westpark Way from State Highway 10 to State Highway 183.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS, THAT:**

**SECTION 1.**

Chapter 82, "Traffic and Motor Vehicles," Article III, "Operation of Vehicle," Section 82-62, "Same--On certain streets and portions of streets," is hereby amended to decrease the speed limit from 40 mph to 35 mph for vehicles traveling upon the named street or parts thereof, as follows:

<b>Street</b>	<b>Block number/ (portion of street)</b>	<b>Extent</b>	<b>Maximum Speed (mph)</b>
Westpark Way	100-1200S	Airport Fwy., W. (State Highway 183 and Bedford City limits: south to Euless Blvd., W. (State Highway 10)	35 mph

**SECTION 2.**

**CUMULATIVE CLAUSE.** This Ordinance shall be cumulative of all provisions of the City Code and other ordinances of the City of Euless, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

**SECTION 3.**

**SEVERABILITY CLAUSE.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or

decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 4.**

**PENALTY CLAUSE.** Any person, firm, or corporation violating any of the terms or provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1, "General Provisions," Section 1-12, "General Penalty," Eules Code of Ordinances. Each such violation shall be deemed a separate offense and shall be punishable as such hereunder.

#### **SECTION 5.**

**SAVINGS CLAUSE.** All rights and remedies of the City of Eules are expressly saved as to any and all violations of the provisions of the City Code or any other ordinances related to zoning that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

#### **SECTION 6.**

**PUBLICATION CLAUSE.** The City Secretary of the City of Eules is hereby directed to publish the caption, penalty clause, and effective date of this ordinance in the official newspaper of the City of Eules, as required by Section 12 of Article II of the Charter of the City of Eules.

#### **SECTION 7.**

**EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage and publication as provided by the Eules City Charter and the laws of the State of Texas.

**PRESENTED AND PASSED ON FIRST AND FINAL READING** at a regular meeting of the Eules City Council on September 13, 2016, by a vote of \_\_\_\_\_ ayes, \_\_\_\_\_ nays, and \_\_\_\_\_ abstentions.

**APPROVED:**

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Linda Martin, Mayor

**ATTEST:**

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Kim Sutter, TRMC, City Secretary

**APPROVED AS TO FORM:**

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Wayne K. Olson, City Attorney